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SERVICE DATE - DECEMBER 22, 2003

SURFACE TRANSPORTATION BOARD

DECISION

STB Docket No. AB-33 (Sub-No. 157X)

UNION PACIFIC RAILROAD COMPANY—ABANDONMENT EXEMPTION—IN  
MONTEREY COUNTY, CA

Decided: December 19, 2003

Union Pacific Railroad Company (UP) filed a notice of exemption under 49 CFR 1152 Subpart F—Exempt Abandonments to abandon a 13.1-mile line of railroad (the Seaside Industrial Lead) extending from milepost 110.2 near Castroville, CA, to the end of the line at milepost 123.3 near Seaside, CA, in Monterey County, CA. Notice of the exemption was served and published in the Federal Register on November 21, 2003 (68 FR 65760-61). The exemption is scheduled to become effective on December 23, 2003.

The Board's Section of Environmental Analysis (SEA) served an environmental assessment (EA) in this proceeding on November 28, 2003. In the EA, SEA recommends that the following conditions be imposed on any decision granting abandonment authority. First, the line passes through a designated coastal zone. The California Coastal Commission (CCC) advises that significantly high levels of lead and other contaminants have been discovered by the U.S. Army at Fort Ord, which the rail line runs through. Additionally, the U.S. Coast Guard conducted an investigation in the area of the proposed abandonment and discovered that lead from the rail line was leaching into nearby Monterey Harbor and causing adverse impacts to marine life. Given these historic problems, SEA therefore recommends that UP: (1) consult with CCC and advise CCC of any physical activities that are being proposed in conjunction with the proposed abandonment; and (2) provide additional information to CCC to enable CCC to determine the need for federal consistency review. Second, the California Public Utilities Commission (PUC) advises that, in the event that the rail line is abandoned, UP should file a Form G with PUC to close all rail crossings on the line and remove the track and railroad warning devices at the crossings. Therefore, SEA recommends that UP consult with PUC prior to commencing any salvage activities. Third, the U.S. Army Corps of Engineers (Corps) advises that, based on available information, it is unable to determine if additional review is required from the Corps. Therefore, SEA recommends that UP consult with the Corps regarding Corps requirements related to any salvage activities.

Comments on the EA were due by December 15, 2003. No comments were received by the due date. Accordingly, the environmental conditions recommended by SEA in the EA will be imposed.

As conditioned, this decision will not significantly affect either the quality of the human environment or the conservation of energy resources.

It is ordered:

1. This proceeding is reopened.
2. Upon reconsideration, the exemption of the abandonment of the line described above is subject to the conditions that UP shall: (1) consult with CCC and advise CCC of any physical activities that are being proposed in conjunction with the proposed abandonment; (2) provide additional information to CCC to enable CCC to determine the need for federal consistency review; (3) consult with PUC prior to commencing any salvage activities; and (4) consult with the Corps regarding Corps requirements related to any salvage activities.
3. This decision is effective on its service date.

By the Board, David M. Konschnik, Director, Office of Proceedings.

Vernon A. Williams  
Secretary